

# EXHIBIT 38

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1 IN RE: PEOPLE VS. JAMES FLETCHER

2

3 GJ# 355

4 ARR. DATE: 5-31-02

5 02 CR 12937

6

7

8 BEFORE THE GRAND JURY OF COOK COUNTY

9

10 MAY 2002

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13 TRANSCRIPT OF TESTIMONY TAKEN IN  
14 THE ABOVE ENTITLED MATTER ON MAY 10, 2002.

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17 PRESENT: MS. KATHALEEN LANAHAN  
18 ASSISTANT STATE'S ATTORNEY

19

20 REPORTED BY JANET K. LUPA  
CERTIFIED SHORTHAND REPORTER  
ILLINOIS LICENSE NO. 84-2103

21

22 LIST OF WITNESSES:

R. SCHALK

23

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1                   THE FOREPERSON:   Would you raise your right  
2 hand, please.

3 (Witness duly sworn.)

4 MS. LANAHAN: Ladies and gentlemen of the  
5 Grand Jury, I am Assistant State's Attorney  
6 Kathaleen Lanahan of the Homicide-Sex Unit.

7                   We are seeking a True Bill of  
8 Indictment against the defendant James Fletcher,  
9 also known as Arnold Dixon, for the offense of  
10 first degree murder committed against Willie  
11 Sorrell on or about December 21st, 1990, near  
12 5615 West Madison, Chicago, Cook County,  
13 Illinois. The Grand Jury number is May 355.

14 At this time I ask leave to call  
15 Detective Schalk.

22 R. SCHALK,  
23 having been first duly sworn, was examined and  
24 testified as follows:

1 EXAMINATION

2 BY

3 MS. LANAHAN:

4 Q. Detective, state your name, star  
5 number, and unit of assignment?

6 A. Detective Raymond Schalk, Star No.  
7 20718. I'm assigned to Area 5 Violent Crimes.

8 Q. And, detective, you have been sworn?

9 A. Yes, I have.

10 Q. Did your investigation reveal that the  
11 victim Willie Sorrell was alive prior to 1:25  
12 p.m. on 12-21 of 1990?

13 A. Yes, he was.

14 Q. And that the victim Willie Sorrell and  
15 victim Edward Cooper were in the area of 5615  
16 West Madison at 1:35 p.m. on 12-21 of 1990?

17 A. That's correct.

18 Q. And that the defendant with a  
19 co-defendant was also present at that time?

20 A. Yes, they were.

21 Q. That the defendant was armed with a  
22 gun?

23 A. Yes, he was.

24 Q. That the defendant and co-offender took

1 money from Edward Cooper at gunpoint?

2 A. Yes, they did.

3 Q. That as the defendant and co-offender  
4 fled, victim Edward Cooper chased the defendants?

5 A. Yes, he did.

6 Q. That the defendant James Fletcher fired  
7 at Edward Cooper?

8 A. That's correct.

9 Q. Edward Cooper -- gunfire was then  
10 exchanged?

11 A. Yes.

12 Q. And victim Willie Sorrell was shot in  
13 the head?

14 A. That's correct.

15 Q. That Dr. Stein of the Medical  
16 Examiner's office determined that the victim  
17 Willie Sorrell died as a result of a gunshot  
18 wound to the head?

19 A. Yes, he did.

20 Q. That the victim died on December 21st,  
21 1990?

22 A. Yes, he did.

23 Q. And what was the relationship between  
24 the victim Willie Sorrell and the defendant?

1 A. There was no relationship.

2 Q. And the victim Edward Cooper and the  
3 defendant?

5 Q. What is the basis of your testimony  
6 today?

7                   A.     From the police reports and from my  
8     interviews with witnesses.

9 Q. And Mr. Cooper, the surviving victim?

10 A. Yes, that's correct.

11 MS. LANAHAN: I have no further questions.

14 (Witness excused.)

15 (Whereupon the Grand Jury was  
16 left alone to deliberate,  
17 after which the following  
18 proceedings were had.)

19 THE FOREPERSON: True Bill.

20 (Whereupon the above-entitled  
21 cause was continued  
22 for arraignment before  
23 the Presiding Judge of  
24 the Criminal Division.)

1 STATE OF ILLINOIS )  
2 ) SS:  
3 COUNTY OF C O O K )  
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6 I, JANET K. LUPA, a Certified  
7 Shorthand Reporter licensed to practice in the  
8 State of Illinois, do hereby certify that I  
9 reported in shorthand the proceedings had in the  
10 hearing of the above entitled cause; that I  
11 thereafter caused the foregoing to be transcribed  
12 into typewriting, which I hereby certify is a true  
13 and accurate transcript of the proceedings had  
14 before the Grand Jury of Cook County.

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17 JANET K. LUPA, CSR  
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